

FILED

JUL 01 2008

**RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT,
NORTHERN DISTRICT OF CALIFORNIA**

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

JOHN KEVEN DURLAO

Plaintiff,

vs.

A. HEDGPETH, WARDEN, KVSP

Defendant.

CASE NO. 008 - 2988 SI

**PRISONER'S
APPLICATION TO PROCEED
IN FORMA PAUPERIS**

I, JOHN KEVEN DURLAO, declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes X No

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: 13¢ PER HOUR Net: \$15.00 PER MONTH

Employer: KERN VALLEY STATE PRISON, DELANO, CA 93216

If the answer is "no," state the date of last employment and the amount of the gross and net salary
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PAUPERIS, Case No.

1 and wages per month which you received. (If you are imprisoned, specify the last place of
2 employment prior to imprisonment.)

3 KELLOGS CORN FALKES, 77TH AVENUE, OAKLAND, CA
4 _____
5 _____

6 2. Have you received, within the past twelve (12) months, any money from any of the following
7 sources:

8 a. Business, Profession or Yes ____ No X
9 self employment

10 b. Income from stocks, bonds, Yes ____ No X
11 or royalties?

12 c. Rent payments? Yes ____ No X

13 d. Pensions, annuities, or Yes ____ No X
14 life insurance payments?

15 e. Federal or State welfare payments, Yes ____ No X
16 Social Security or other govern-
17 ment source?

18 If the answer is "yes" to any of the above, describe each source of money and state the amount
19 received from each.
20 _____
21 _____

22 3. Are you married? Yes ____ No X

23 Spouse's Full Name: _____

24 Spouse's Place of Employment: _____

25 Spouse's Monthly Salary, Wages or Income:

26 Gross \$ _____ Net \$ _____

27 4. a. List amount you contribute to your spouse's support : \$ _____

28 b. List the persons other than your spouse who are dependent upon you for support
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and indicate how much you contribute toward their support. (NOTE: For minor children, list only their initials and ages. DO NOT INCLUDE THEIR NAMES.).

5. Do you own or are you buying a home? Yes ___ No X

Estimated Market Value: \$ _____ Amount of Mortgage: \$ _____

6. Do you own an automobile? Yes ___ No X

Make _____ Year _____ Model _____

Is it financed? Yes ___ No ___ If so, Total due: \$ _____

Monthly Payment: \$ _____

7. Do you have a bank account? Yes ___ No X (Do not include account numbers.)

Name(s) and address(es) of bank: _____

Present balance(s): \$ _____

Do you own any cash? Yes ___ No X Amount: \$ _____

Do you have any other assets? (If "yes," provide a description of each asset and its estimated market value.) Yes ___ No X

8. What are your monthly expenses?

Rent: \$ _____ Utilities: _____

Food: \$ _____ Clothing: _____

Charge Accounts:

<u>Name of Account</u>	<u>Monthly Payment</u>	<u>Total Owed on This Acct.</u>
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

9. Do you have any other debts? (List current obligations, indicating amounts and to whom they are payable. Do not include account numbers.)

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10. Does the complaint which you are seeking to file raise claims that have been presented in other lawsuits? Yes ___ No X

Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in which they were filed.

I consent to prison officials withdrawing from my trust account and paying to the court the initial partial filing fee and all installment payments required by the court.

I declare under the penalty of perjury that the foregoing is true and correct and understand that a false statement herein may result in the dismissal of my claims.

6-5-08

DATE

John K. Quier Dumbao

SIGNATURE OF APPLICANT

Case Number: _____

CERTIFICATE OF FUNDS
IN
PRISONER'S ACCOUNT

I certify that attached hereto is a true and correct copy of the prisoner's trust account statement showing transactions of Dumlad, John for the last six months at [prisoner name]

Kern Valley State Prison where (s)he is confined.

[name of institution]

I further certify that the average deposits each month to this prisoner's account for the most recent 6-month period were \$ 92.70 and the average balance in the prisoner's account each month for the most recent 6-month period was \$ 56.02.

Dated 6/19/08

T. Scuggs, Asst. Dir.

[Authorized officer of the institution]

REPORT ID: TS3030 .701

REPORT DATE: 06/19/08

PAGE NO: 1

CALIFORNIA DEPARTMENT OF CORRECTIONS
KERN VALLEY STATE PRISON
INMATE TRUST ACCOUNTING SYSTEM
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: DEC. 01, 2007 THRU JUN. 19, 2008

ACCOUNT NUMBER : C16555 BED/CELL NUMBER: FAB400000000215U
ACCOUNT NAME : DURLAO, JOHN KLEVER ACCOUNT TYPE: I
PRIVILEGE GROUP: A

TRUST ACCOUNT ACTIVITY

DATE	CODE	DESCRIPTION	COMMENT	CHECK NUM	DEPOSITS	WITHDRAWALS	BALANCE
12/01/2007		BEGINNING BALANCE					0.00
12/06	D554	INMATE PAYROL	0858/NOV26		5.92		5.92
12/07	D300	CASH DEPOSIT	0873/MR		100.00		105.92
12/10	FC01	DRAW-FAC 1	0883/FA2D			103.00	2.92
12/18	D300	CASH DEPOSIT	0963/MR		50.00		52.92
12/18	D300	CASH DEPOSIT	0963/MR		100.00		152.92
ACTIVITY FOR 2008							
01/07	D554	INMATE PAYROL	1017/DEC21		4.23		157.15
01/09	FC01	DRAW-FAC 1	1042/FA2D			107.00	50.15 *
02/06	D554	INMATE PAYROL	1207/JAN06		13.91		64.06
02/13	FC01	DRAW-FAC 1	1259/FA2D			64.06	0.00
02/15	D300	CASH DEPOSIT	1276/MR		40.00		40.00 *
03/05	D300	CASH DEPOSIT	1387/MR		40.00		80.00
03/06	D554	INMATE PAYROL	1402/FEB21		13.10		93.10
03/11	FC01	DRAW-FAC 1	1432/FA2D			80.00	13.10 *
04/04	D554	INMATE PAYROL	1577/MAR19		18.92		32.02
04/09	FC01	DRAW-FAC 1	1605/FA2D			32.02	0.00
04/14	D300	CASH DEPOSIT	1644/MR		40.00		40.00 *
05/05	D300	CASH DEPOSIT	1774/MR		80.00		120.00
05/06	D554	INMATE PAYROL	1785/APR22		10.14		130.14
05/13	FC01	DRAW-FAC 1	1835/FA2D			130.14	0.00
05/28	D300	CASH DEPOSIT	1918/MR		40.00		40.00 * <i>Let months</i>
06/05	D300	CASH DEPOSIT	1974/MR		40.00		80.00
06/09	FC01	DRAW-FAC 1	1983FA/ALL			80.00	0.00
06/17	D300	CASH DEPOSIT	2035/MR		40.00		40.00
06/17	W459	DONATION-HIGH	2045PIZ-A4			19.25	20.75

TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS BALANCE	TRANSACTIONS TO BE POSTED
0.00	636.22	615.47	20.75	0.00	0.00

CURRENT
AVAILABLE
BALANCE

20.75

THE WITHIN INSTRUMENT IS A
CORRECT COPY OF THE TRUST
ACCOUNT MAINTAINED BY THIS OFFICE.
ATTEST:

CALIFORNIA DEPARTMENT OF
CORRECTIONS AND REHABILITATION

BY *[Signature]*
TRUST OFFICE



NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

BUSINESS REPLY MAIL

FIRST-CLASS MAIL PERMIT NO. 12615 WASHINGTON DC

POSTAGE WILL BE PAID BY UNITED STATES COURTS

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Delano, Calif 93216*

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PO BOX 36060
SAN FRANCISCO CA 94102-9680

Kern Valley State Prison
Facility A, Building 4

Confidential mail

